

THE LAW OFFICES OF

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Tuesday, February 15, 2022

**VIA ECF**

Honorable District Judge John P. Cronan  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 20C  
New York, New York 10007-1312

Re: Kaye v. Health and Hospitals Corporation et. al.  
18-CV-12137(JPC)(JLC)

Dear Honorable District Judge Cronan:

Plaintiff respectfully submits this letter in response to Defendants' motion for an extension to file their motion for summary judgment. (ECF Dkt. 221) Since this is Defendants' second request for an extension, I respectfully request that the parties be directed to file their Proposed Joint Pre-Trial Order.

Plaintiff makes this request based on this Court's order rendered on July 26, 2021. (ECF Dkt. 163) At that time, the Court directed Defendants to submit a letter that would disclose whether they would move for summary judgment on or by December 3, 2021. (ECF. Dkt. 163) Since then, Defendants have sought extensions on two separate occasions. Defendants' brief opposing summary judgment was initially due on January 28, 2022. When Defendants' filed a second time, their brief was then due on February 16, 2022. Now without any further explanation, besides ongoing work commitments and the holidays, they seek an additional extension until March 4, 2022.

It is Plaintiff's position that Defendants' motion will either be denied partially or in its entirety. Respectfully, since more than 30 days have elapsed since the close of discovery, pursuant to Section 7(B) of Your Honor's Individual Rules of Practice, Plaintiff is requesting that the parties' Joint Trial order be filed on or by March 3, 2022.

In closing, I would like to thank the Court for its time and consideration.

Respectfully submitted,

/s/

Special Hagan, Esq.  
Attorney for Melissa Kaye, MD

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Cc: Donna Canfield, Esq.  
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